

REMARKS/ARGUMENTS

Claims 1-9 are pending herein. Claim 1 has been amended to recite that the "first epitaxial layer group" includes an active layer, as supported by claim 2, for example, and the specification as a whole.

Examiner's Dickey and Tran are thanked for courtesies extended to applicants' undersigned representative during the personal interview on November 13, 2003.

During the interview, it was agreed that, if claim 1 was amended to clarify that the first epitaxial layer group is "active," the art-based rejections would be overcome. As explained above, claim 1 has been amended to clarify that the first epitaxial layer group includes an active layer. This distinguishes the applied references in that there is no disclosure of a first epitaxial layer group including an active layer, as now recited in the pending claims.

This §103 rejection of claims 1 and 6 over Matsubara in view of Martin is noted, but deemed moot in view of the above-outlined amendment to claim 1. Accordingly, reconsideration and withdrawal of all grounds of rejections asserted in the Office Action are respectfully requested.

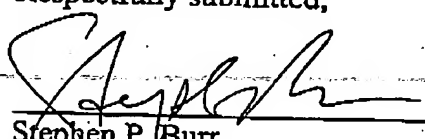
Should the PTO deem that any further action by the applicants would be desirable in placing this application in even better condition for issue, the appropriate official is requested to telephone applicants' undersigned representative.

The Commissioner is hereby authorized to charge any additional fees
associated with this communication or credit any overpayment to Deposit Account
No. 50-1446.

Respectfully submitted,

November 25, 2003

Date


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SPB/eav

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